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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐ Declaration  
Submitted  
with Initial  
Filing☐ Declaration  
Submitted after Initial  
Filing (surcharge)  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

PU4804USw

First Named Inventor

Lisa Marie SHEWCHUK

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ERBB4 CO CRYSTAL

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (12/20/2004) as United States Application Number or PCT InternationalApplication Number PCT/US2004/001291 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority Not<br>Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | YES                      | NO                       |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02/B attached hereto:

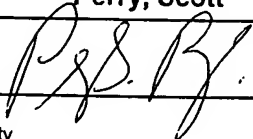
[Page 1 of 2]

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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| DECLARATION – Utility or Design Patent Application  |           |   |  |
|---|-----------|---|--|
| Direct all correspondence to: <input checked="" type="checkbox"/>   |           | Customer Number <b>23347</b>  | OR <input type="checkbox"/> Correspondence address below |
| Name  |           |   |  |
| Address   |           |   |  |
| City  |           | State   | ZIP  |
| Country   | Telephone |   | Fax  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |           |   |  |
| NAME OF SOLE OR FIRST INVENTOR:   |           | <input type="checkbox"/> A petition has been filed for this unsigned inventor |  |
| Given Name<br>(first and middle [if any])   |           | Family Name<br>Or Surname   |  |
| <b>Lisa, Marie</b>  |           | <b>SHEWCHUK</b>   |  |
| Inventor's<br>Signature   |           |   | Date   |
| Residence: City   | State     | Country   | Citizenship  |
| <b>Durham</b>   | <b>NC</b> | <b>US</b>   | <b>CA</b>  |
| Mailing Address   |           |   |  |
| <b>c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398</b>  |           |   |  |
| City  | State     | ZIP   | Country  |
| <b>Research Triangle Park</b>   | <b>NC</b> | <b>27709</b>  | <b>US</b>  |
| NAME OF SECOND INVENTOR:  |           | <input type="checkbox"/> A petition has been filed for this unsigned inventor |  |
| Given Name<br>(first and middle [if any])   |           | Family Name<br>Or Surname   |  |
| <b>Anne Moore</b>   |           | <b>HASELL</b>   |  |
| Inventor's<br>Signature   |           |   | Date   |
| Residence: City   | State     | Country   | Citizenship  |
| <b>Durham</b>   | <b>NC</b> | <b>US</b>   | <b>US</b>  |
| Mailing Address   |           |   |  |
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| <b>Research Triangle Park</b>   | <b>NC</b> | <b>27709</b>  | <b>US</b>  |
| <input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02S or 02LR attached hereto  |           |   |  |

| DECLARATION  |             | ADDITIONAL INVENTOR(S)<br>Supplemental Sheet<br>Page 3 of 3                   |                   |
|--|-------------|---|-------------------|
| Name of Additional Joint Inventor, if any:   |             | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                   |
| Given Name (first and middle [if any])   |             | Family Name or Surname  |                   |
| Perry, Scott   |             | BRIGNOLA  |                   |
| Inventor's Signature x  |             | Date x 06/23/05.  |                   |
| Residence: City<br>Alpharetta  | State<br>GA | Country<br>US   | Citizenship<br>US |
| Mailing Address 11850 Brisbane Drive   |             |   |                   |
| City<br>Alpharetta   | State<br>GA | ZIP<br>30004  | Country<br>US     |
| Name of Additional Joint Inventor, if any:   |             | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                   |
| Given Name (first and middle [if any])   |             | Family Name or Surname  |                   |
|  |             |   |                   |
| Inventor's Signature   |             | Date  |                   |
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| Given Name (first and middle [if any])   |             | Family Name or Surname  |                   |
|  |             |   |                   |
| Inventor's Signature x   |             | Date x  |                   |
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|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | YES                      | NO                       |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any])Family Name  
Or Surname**Lisa, Marie****SHEWCHUK**Inventor's  
Signature

Date

**4/23/05**

Residence: City

State

Country

Citizenship

**Durham****NC****US****CA**

Mailing Address

**c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398**

City

State

ZIP

Country

**Research Triangle Park****NC****27709****US****NAME OF SECOND INVENTOR:**☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any])Family Name  
Or Surname**Anne Moore****HASSELL**Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

**Durham****NC****US****US**

Mailing Address

**c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398**

City

State

ZIP

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**Research Triangle Park****NC****27709****US**☐ Additional inventors are being named on the

supplemental Additional Inventor(s) sheet(s) PTO/SB/02S or 02LR attached hereto

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| Perry, Scott                               |             | BRIGNOLA  |                   |
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|  |             |   |                   |
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|  |             |   |                   |
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| Mailing Address                            |             |   |                   |
| City                                       | State       | Zip   | Country           |

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|   | First Named Inventor   | Lisa Marie SHEWCHUK |  |
|   | COMPLETE IF KNOWN      |                     |  |
|   | Application Number     |                     |  |
|   | Filing Date            |                     |  |
|   | Art Unit               |                     |  |
|   | Examiner Name          |                     |  |

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| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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Name

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ZIP

Country

Telephone

Fax

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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any])

Family Name  
Or Surname

Lisa, Marie

SHEWCHUK

Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Durham

NC

US

CA

Mailing Address

**c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398**

City

State

ZIP

Country

Research Triangle Park

NC

27709

US

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any])

Family Name  
Or Surname

Anne Moore

HASSELL

Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Durham

NC

US

US

Mailing Address

**c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398**

City

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US

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| Perry, Scott                               |             | BRIGNOLA  |                   |
| Inventor's<br>Signature x                  |             | Date x  |                   |
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|  |             |   |                   |
| Inventor's<br>Signature                    |             | Date  |                   |
| Residence: City                            | State       | Country   | Citizenship       |
| Mailing Address                            |             |   |                   |
| City                                       | State       | ZIP   | Country           |
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|  |             |   |                   |
| Inventor's<br>Signature x                  |             | Date x  |                   |
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| Mailing Address                            |             |   |                   |
| City                                       | State       | Zip   | Country           |

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|   |                        |                     |
|---|------------------------|---------------------|
| <b>POWER OF ATTORNEY<br/>and<br/>CORRESPONDENCE ADDRESS<br/>INDICATION FORM</b> | Application Number     | To be assigned      |
|   | Filing Date            |                     |
|   | First Named Inventor   | Lisa Marie SHEWCHUK |
|   | Title                  | ERBB4 CO-CRYSTAL    |
|   | Art Unit               |                     |
|   | Examiner Name          |                     |
|   | Attorney Docket Number | PU4804USw           |

I hereby appoint:

Practitioners associated  
with the Customer  
Number:

23347

OR



Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:



The address associated with the above-mentioned Customer Number:

OR



The address associated with Customer Number:

23347

OR

|                          |                         |  |       |  |
|--------------------------|-------------------------|--|-------|--|
| <input type="checkbox"/> | Firm or Individual Name |  |       |  |
|                          | Address                 |  |       |  |
|                          | City                    |  | State |  |
|                          | Country                 |  |       |  |
|                          | Telephone               |  | Fax   |  |

I am the:



Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

|                   |                                |           |               |
|-------------------|--------------------------------|-----------|---------------|
| Signature         | <i>Robert H. Brink</i>         | Date      | July 19, 2005 |
| Name              | Robert H. BRINK                | Telephone | 919-483-3323  |
| Title and Company | SMITHKLINE BEECHAM CORPORATION |           |               |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



\*Total of \_\_\_\_\_ forms are submitted.

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## Power of Attorney

BY THIS POWER OF ATTORNEY given this 23<sup>rd</sup> day of February two thousand and five SMITHKLINE BEECHAM CORPORATION, a company incorporated in Pennsylvania (Registration No. 3330395) and having its registered office at One Franklin Plaza, P.O. Box 7929, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, HUGH BAINFORDE DAWSON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, PETER I. DOLTON, HELEN KAYE QUILLIN, MARCUS JONATHAN WILLIAM DALTON, CHARLES M. KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. MCCARTHY, EDWARD R. GIMMI, CHARLES EDWARD DADSWELL, ROBERT H. BRINK, and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sub-licences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
5. To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.

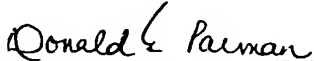
6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent, including trademark and patent agents and attorneys, to act on behalf of the Company.
7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.
10. This Power of Attorney shall expire on December 31, 2006

**AND THE COMPANY HEREBY RATIFIES** and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

**AND THE COMPANY HEREBY DECLARES** that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

**IN WITNESS** whereof **SMITHKLINE BEECHAM CORPORATION** has caused its Common Seal to be hereunto affixed the day and year first before written

The **COMMON SEAL** of )  
**SMITHKLINE BEECHAM CORPORATION** )  
was hereto affixed in the presence of: )



Donald F. Parman  
Vice President and Secretary